

State of California
Fish and Game Commission
Initial Statement of Reasons for Regulatory Action

Amend Section 362
Title 14, California Code of Regulations
Re: Nelson Bighorn Sheep

I. Date of Initial Statement of Reasons: January 8, 2026

II. Dates and Locations of Scheduled Hearings

(a) Notice Hearing:

Date: December 10, 2025

Location: Sacramento

(b) Discussion Hearing:

Date: February 12, 2026

Location: Sacramento

(c) Adoption Hearing:

Date: April 16, 2026

Location: Sacramento

III. Description of Regulatory Action

(a) Statement of Specific Purpose of Regulatory Change and Factual Basis for Determining that Regulation Change is Reasonably Necessary

Unless otherwise specified, all section references in this document are Title 14 of the California Code of Regulations (CCR).

The California Fish and Game Commission (Commission) periodically considers recommendations from the California Department of Fish and Wildlife (Department) to amend Nelson bighorn sheep regulations. Considerations include recommendations for adding new hunt zones, adjusting tag quotas (total number of hunting tags to be made available), setting hunt periods, modifying zone boundaries, and authorizing methods of take, among others, to help achieve management goals and objectives for Nelson bighorn sheep. To maintain appropriate harvest levels and hunting quality, tag quotas must be adjusted periodically in response to dynamic environmental and biological conditions.

The proposed changes focus on adding three new hunt zones for Nelson bighorn sheep in subsection 362(a), reallocating fundraising tags in subsection 362(b), and adjusting tag quotas in subsection 362(d). The last time these regulations were subject to an amendment was 2025-2026. The proposed amendments here represent the cumulation of the Department's internal discussions/data analysis. The proposed changes are necessary to maintain sustainable hunt opportunities, and for consistency with management unit plan recommendations and the California Fish and Game Code (FGC). Subdivision (b)(2) of FGC Section 4902 states the Commission may not adopt regulations authorizing the sport hunting in a single year of more than 15 percent of the mature Nelson bighorn rams in a single management unit. The following management recommendations are consistent with this mandate.

Background

Current regulations in Section 362 establish Nelson bighorn sheep hunt zones, specify tag quotas for each hunt zone and specify season opening and closing dates in accordance with management goals and objectives described in the management unit plans. Current regulations specify the two single zone fundraising tags are allocated to zones 2 and 10. Tag quotas are established based on a variety of factors, including population density and abundance, age and sex composition, and distribution. Individuals are awarded a bighorn sheep hunting tag through the Department's Big Game Drawing. A limited number of fundraising tags are also available for purchase, usually by auction, via non-governmental organizations that assist the Department with fundraising. Harvest of a bighorn sheep is authorized for an individual with a tag for a respective hunt zone and season.

The Department's goal is to increase bighorn sheep hunting opportunities where feasible and compatible with population objectives, in which case recommendations will be offered to the Commission. The Department has identified three potential hunt zones that have stable populations that can support sustainable harvest levels while meeting management goals and objectives.

Per subdivision (d) of FGC 4902, the Commission shall direct not more than three of the tags available for issuance for the purpose of raising funds. All revenue from the sale of fundraising tags shall be deposited in the Big Game Management Account. Since the first Nelson bighorn sheep fundraising tag was sold in 1987, the Department has raised over \$6 million for the management of big game species and habitats. Over the last ten years, Nelson bighorn sheep fundraising tags have raised an average of \$253,832 per year for big game management. The current regulations allow for one open zone fundraising tag and two single zone fundraising tags. The single zone fundraising tags may be moved to different zones based on survey data and Department needs. This flexibility will allow the Department to continue to manage hunting opportunities compatible with population objectives, while also maximizing fundraising opportunities and revenue.

Existing Authorities

FGC Section 200 provides the Commission with the power to regulate the take or possession of birds, mammals, fish, amphibians, and reptiles.

FGC Section 203 specifies that the Commission has authority to promulgate regulations concerning open and closed seasons, bag and possession limits, hunt zones, methods of take, and restrictions based on physical distinctions.

FGC Section 203.1 requires the Commission to consider populations, habitat, food supplies, animal welfare, and other pertinent facts.

FGC Section 1050 describes the process and procedure for assigning fees to hunting entitlements.

FGC Section 3950 defines game mammals and specifies that Nelson bighorn sheep are game mammals only for the purposes of sport hunting as described in FGC Section 4902.

FGC Section 4902 authorizes the Commission to adopt regulations for the biologically sound management of Nelson bighorn sheep, including sport hunting of mature bighorn rams;

specifies the bighorn resident hunting tag fee, authorizes the Commission to adopt the bighorn nonresident hunting tag fee; specifies conditions regarding the sale of bighorn fundraising tags; and requires a mandatory hunter orientation training.

Proposed Regulations

Section 362 Nelson Bighorn Sheep

- **Amend subsections 362(a) and (b)** to add three new hunt zones in San Bernardino County for bighorn sheep: Granite and North Bristol Mountains (Zone 11), Providence, Woods, and Hackberry Mountains (Zone 12), and Castle Mountains and Piute Range (Zone 13). The season for all three zones would match the other zones in the area starting the first Saturday in December and extending through the first Sunday in February. Table 1 and Figure 1 reflect the proposed tag ranges and locations of these zones.
 - Problem Statement: There are relatively few Nelson bighorn sheep hunting opportunities in California but there are many healthy bighorn populations on public land that can biologically support sustainable harvest but are not currently in designated hunt zones.
 - Statement of Purpose: The purpose of this proposal is to increase hunter opportunity through the creation of three new hunt zones in Nelson bighorn populations. These populations have been monitored by the Department for more than five years and can sustainably support harvest.
 - Statement of Benefits: The proposal is consistent with the Statewide Bighorn Sheep Conservation and Management Plan and the North Central Deserts Bighorn Conservation Unit Plan, and hunters' requests for new hunting opportunities.
 - Statement of Necessity: This proposal is necessary to increase hunter opportunity while maintaining biologically sound harvest levels and meeting management goals.

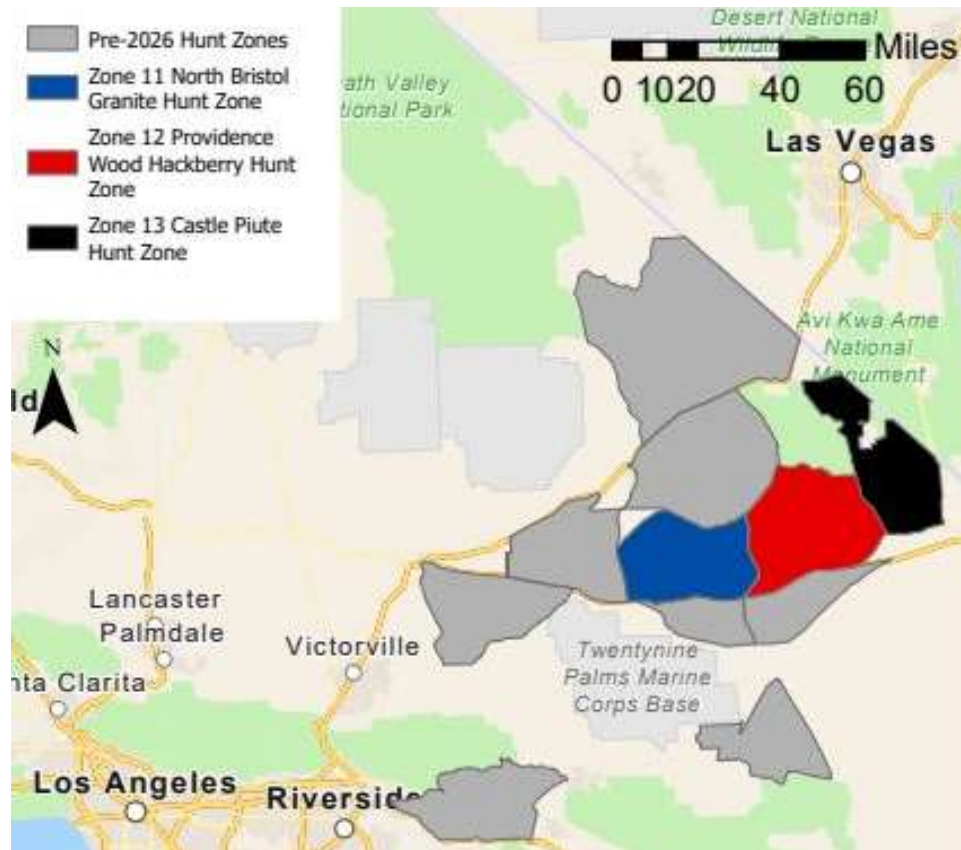


Figure 1. The three proposed hunt zones in San Bernardino County in relation to the existing hunt zones in the area. The three proposed zones from west to east are the Granite and North Bristol Mountains (Zone 11, in blue), the Providence, Woods, and Hackberry Mountains (Zone 12, in red), and the Castle Mountains and Piute Range (Zone 13, in black).

- **Amend subsections 362 (b)(2) and (3)** to identify new zones 11, 12 and 13 for the Single Zone Fundraising tags. Existing regulations provide for allocation of two Single Zone fundraising tags and specify the season for each zone.
 - Problem Statement: Nelson bighorn sheep populations are subject to annual population fluctuations, and it is important to have flexibility to re-assign the fundraising tags to different zones to ensure sustainable harvest levels and to maximize fundraising potential.
 - Statement of Purpose: The purpose of this proposal is to allow flexibility to ensure sustainable harvest levels and maximize fundraising potential.
 - Statement of Benefits: The proposal is consistent with the Statewide Bighorn Sheep Conservation and Management Plan and the North Central Deserts Bighorn Conservation Unit Plan.
 - Statement of Necessity: This proposal is necessary to maintain flexibility to ensure biologically sound harvest levels and meet management goals.
- **Amend subsection 362(d)** to adjust tag quotas across existing zones and assign tag quotas to the proposed new zones to ensure data-driven sustainable harvest numbers. Population estimates from recent surveys support an increase in tag quotas in several

existing hunt zones. Final tag quotas for bighorn sheep cannot be determined until surveys are completed and all data are analyzed. Surveys and analyses are scheduled for completion by Spring 2026. The Department's final tag quota recommendation will be based upon a biologically appropriate harvest of bighorn sheep. Due to the timing of administrative procedures and requirements of the FGC, the Department submits proposed regulatory changes to the Commission prior to completion of all surveys, necessitating a proposed range of tags. The Department will recommend final tag quotas for each zone and the zone for single zone fundraising tag 2 in the Preadoption Statement of Reasons based upon findings from 2025-2026 surveys.

- Problem Statement: Nelson bighorn sheep populations are subject to annual population fluctuations, and it is important to have flexibility to adjust tag numbers ensure biologically sustainable harvest.
- Statement of Purpose: The purpose of this proposal is to provide the Department with flexibility to adjust the number of tags, as needed, based on recent data and the best available science.
- Statement of Benefits: The proposal is consistent with the Statewide Bighorn Sheep Conservation and Management Plan and the North Central Deserts Bighorn Conservation Unit Plan.
- Statement of Necessity: This proposal is necessary to allow flexibility to adjust tag numbers based on the best available science and to ensure biologically sound harvest levels while meeting management goals.

Table 1. Proposed Number of Nelson Bighorn Sheep Tags by Hunt Zone

<i>Nelson Bighorn Sheep Hunt Zones</i>	<i>Tag Allocation 2025</i>	<i>Proposed Tag Allocation 2026</i>
Zone 1 -- Marble/Clipper Mountains	1	[0-3]
Zone 2 -- Kelso Peak/Old Dad Mountains	3	[0-4]
Zone 3 -- Clark/Kingston Mountain Ranges	4	[0-4]
Zone 4 -- Orocopia Mountains	1	[0-2]
Zone 5 -- San Gorgonio Wilderness	1	[0-3]
Zone 6 -- Sheep Hole Mountains	1	[0-2]
Zone 7 (Period 1) -- White Mountains	3	[0-4]
Zone 7 (Period 2) -- White Mountains	2	[0-4]
Zone 8 -- South Bristol Mountains	1	[0-3]
Zone 9 -- Cady Mountains	2	[0-4]
Zone 10 (Period 1) -- Newberry, Rodman, Ord Mountains	4	[0-6]
Zone 10 (Period 2) -- Newberry, Rodman, Ord Mountains	4	[0-6]
Zone 11 -- Granite and North Bristol Mountains	--	[0-3]
Zone 12 -- Providence, Woods, and Hackberry Mountains	--	[0-3]
Zone 13 -- Castle Mountains and Piute Range	--	[0-4]
Open Zone Fundraising Tag	1	1
Single Zone Fundraising Tag 1: Zone 10	1	1
Single Zone Fundraising Tag 2: Zone [1-13]	1	1
Total:	30	[3-58]

(b) Goals and Benefits of the Regulation

It is the policy of the state to encourage the preservation, conservation, and maintenance of wildlife resources under the jurisdiction and influence of the state. This policy shall include, but is not limited to, the following objectives:

The maintenance of sufficient populations of all species of wildlife and the habitat necessary to provide for the beneficial use and enjoyment of wildlife by all citizens of the state, to perpetuate all species of wildlife for their intrinsic and ecological values, as well as for their direct benefits to all persons, to provide for aesthetic, educational, and non-appropriative uses of the various wildlife species, to maintain diversified recreational uses of wildlife, including the sport of

hunting, as proper uses of certain designated species of wildlife, consistent with the maintenance of healthy, viable wildlife resources, the public safety, and a quality outdoor experience, to alleviate economic losses or public health or safety problems caused by wildlife to the people of the state either individually or collectively in a manner designed to bring the problem within tolerable limits consistent with economic and public health considerations and the objectives.

The proposed regulations will provide Nelson bighorn sheep hunting opportunities while maintaining sustainable population sizes in accordance with management recommendations in existing unit plans, and so as not to exceed the 15 percent threshold identified in subdivision (b)(2) of FGC section 4902.

(c) Authority and Reference Sections from Fish and Game Code for Regulation

Authority: 200, 203, 203.1, 265, 1050, and 4902 Fish and Game Code

Reference: 1050, 3950, and 4902 Fish and Game Code

(d) Specific Technology or Equipment Required by Regulatory Change:

None

(e) Identification of Reports or Documents Supporting Regulation Change

- [2019 Environmental Document Regarding Bighorn Sheep Hunting](#)
- California Department of Fish and Wildlife. 2025. [The Conservation and Management Plan for Bighorn Sheep in California](#). California Department of Fish and Wildlife, West Sacramento, CA, USA.
- North Central Deserts Bighorn Conservation Unit Plan—final draft will be shared upon completion

(f) Public Discussions of Proposed Regulations Prior to Notice Publication

- Wildlife Resources Committee, May 2025
- Wildlife Resources Committee, September 2025

IV. Description of Reasonable Alternatives to Regulatory Action

(a) Alternatives to Regulation Change

No alternatives were identified by or brought to the attention of Commission staff that would have the same desired regulatory effect.

(b) No Change Alternative

Without the proposed changes, no new hunting zones would be added and the outstanding issues concerning the regulations currently governing bighorn sheep hunting would remain unaddressed. The no change alternative would not be consistent with maintaining bighorn sheep populations within desired population objectives. Subdivision (b) of FGC Section 4902 and management unit plans specify desired harvest levels. Retaining the current tag quota for each zone may not be responsive to environmental and biological changes in the status of

various herds. The no-change alternative would not allow for adjustment of tag quotas in response to changing environmental and biological conditions.

V. Mitigation Measures Required by Regulatory Action

The proposed regulatory action will have no negative impact on the environment; therefore, no mitigation measures are needed.

VI. Impact of Regulatory Action

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

(a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businesses to Compete with Businesses in Other States

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed action will potentially add up to 10 tags in three new hunting zones across a large geographic region and will adjust tag quotas for existing hunts with a potential of 28 more tags for new and existing zones combined. Given the number of tags available and the area over which they are distributed, these proposals are economically neutral to business.

(b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California; Benefits of the Regulation to the Health and Welfare of California Residents, Worker Safety, and the State's Environment

The Commission does not anticipate impacts on the creation or elimination of jobs within the state, the creation of new business, the elimination of existing businesses, or the expansion of businesses in California because the expected economic impacts of the proposed regulations are unlikely to be substantial enough to significantly stimulate demand for goods or services related to Nelson bighorn sheep hunting. If greater numbers of hunters visit the areas in the state with increased opportunities, businesses that provide goods and services to Nelson bighorn sheep hunters could benefit from small increases in sales. Conversely, if fewer tags are awarded and fewer hunters visit the areas in the state with decreased opportunities, businesses that provide goods and services to Nelson bighorn sheep hunters could be negatively affected from small decreases in sales. Anticipated benefits to the environment include, but are not limited to, the maintenance of populations of Nelson bighorn sheep to ensure their continued existence and supporting recreational opportunity, and funding wildlife conservation through the fees that hunters pay for licenses and tags. While there are no anticipated benefits to worker safety, hunting is an outdoor activity that can provide several health and welfare benefits to California residents, including the benefits of fresh game to eat and exercise from outdoor recreation.

(c) Cost Impacts on a Representative Private Person or Business:

The total potential range of tags across all zones is anticipated increase by up to 28 tags across a large geographic area, so no net economic impacts to individuals or to businesses

that support Nelson bighorn sheep hunts are anticipated. As such, the Commission does not anticipate significant impacts on the representative private persons or businesses.

(d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:

The Commission does not anticipate any new costs or savings to state agencies or costs/savings in federal funding to the state. However, Department revenue will potentially increase with a proposed increased number of available bighorn sheep tags (see STD399 and Addendum).

(e) Nondiscretionary Costs/Savings to Local Agencies: None

(f) Programs Mandated on Local Agencies or School Districts: None

(g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4, Government Code: None

(h) Effect on Housing Costs: None

VII. Economic Impact Assessment

(a) Effects of the Regulation on the Creation or Elimination of Jobs Within the State

The Commission does not anticipate impacts on the creation or elimination of jobs within the State.

(b) Effects of the Regulation on the Creation of New Businesses or the Elimination of Existing Businesses Within the State

The Commission does not anticipate impacts on the creation of new businesses, the elimination of existing businesses within the state because the expected economic impacts of the proposed regulations are unlikely to be substantial enough to significantly stimulate demand for goods or services related to Nelson bighorn sheep hunting.

(c) Effects of the Regulation on the Expansion of Businesses Currently Doing Business Within the State

The Commission does not anticipate impacts on the expansion of businesses currently doing business within the state because the expected economic impacts of the proposed regulations are unlikely to be substantial enough to significantly stimulate demand for goods or services related to Nelson bighorn sheep hunting.

(d) Benefits of the Regulation to the Health and Welfare of California Residents

Hunting is an outdoor activity that can provide several health and welfare benefits to California residents. Hunters and their families benefit from fresh game to eat, and from the benefits of outdoor recreation, including exercise. People who hunt have a special connection with the outdoors and an awareness of the relationships between wildlife, habitat, and humans, and can be a family tradition and a bonding activity.

(e) Benefits of the Regulation to Worker Safety

The Commission does not anticipate impacts on worker safety.

(f) Benefits of the Regulation to the State's Environment

The Commission anticipates benefits to the state's environment in the sustainable management of Nelson bighorn sheep populations. Adoption of three new hunt zones and science-based tag quotas provides for the management of Nelson bighorn sheep population to ensure their continued existence and supports recreational opportunities. The fees that hunters pay for licenses and tags help fund wildlife conservation.

Informative Digest/Policy Statement Overview

Unless otherwise specified, all section references in this document are Title 14 of the California Code of Regulations (CCR).

Background

The California Fish and Game Commission (Commission) periodically considers recommendations from the California Department of Fish and Wildlife (Department) to amend bighorn sheep hunting regulations. Considerations include recommendations for adjusting tag quotas, setting hunt periods, modifying area boundaries, and authorizing methods of take, among others, to help achieve management goals and objectives for bighorn sheep.

Current regulations in Section 362 provide definitions, hunting zone descriptions, season opening and closing dates, tag quotas (total number of hunting tags to be made available), and bag and possession limits for bighorn sheep hunting. Individuals are awarded a bighorn sheep hunting tag through the Department's Big Game Drawing. A limited number of fundraising tags are also available for purchase, usually by auction, via non-governmental organizations that assist the Department with fundraising.

Harvest of a bighorn sheep is authorized for an individual with a tag for a specific hunt zone and season. Tag quotas are established based on a variety of factors including population density and abundance, age and sex composition, and distribution.

Proposed Changes

Amend subsections 362(a) and (b) to add three new hunt areas in San Bernardino County for bighorn sheep: Granite and North Bristol Mountains (Zone 11), Providence, Woods, and Hackberry Mountains (Zone 12), and Castle Mountains and Piute Range (Zone 13). The season for all three zones would match the other zones in the area starting the first Saturday in December and extending through the first Sunday in February.

Bighorn sheep are widespread in San Bernardino County, and these populations have been monitored for over 5 years. The proposed changes would increase the number of tags available and the geographic areas, or hunt zones, available for hunting.

Amend subsections 362 (b)(2) and (3) to identify new zones 11, 12 and 13 for the Single Zone Fundraising tags.

Existing regulations provide for allocation of two Single Zone fundraising tags and specify the season for each zone. This proposal allows for the possible reallocation of these tags to the new zones based on population survey results to maintain biologically sound hunting opportunities and continue to generate revenue.

Amend Subsection 362(d) to modify hunt tag quotas for each hunt zone (Table 1 in the Initial Statement of Reasons).

Periodic adjustments of tag quotas in response to dynamic environmental and biological conditions are necessary to maintain sustainable populations of Nelson bighorn sheep, provide hunt opportunities, and ensure consistency with statutory authorities and management recommendations. Due to the timing of administrative procedures and requirements of the California Fish and Game Code, the Department submits proposed regulatory changes to the Commission prior to completion of

all surveys. The Department will recommend final tag quotas for each zone and the zone for single zone fundraising tag 2 based upon analyses and findings from 2025-2026 surveys, scheduled for completion by March 2026.

Benefit of the Regulations:

The proposed regulations will provide Nelson bighorn sheep hunting opportunities while maintaining sustainable population sizes in accordance with management recommendations in existing unit plans, and so as not to exceed the 15 percent threshold identified in subdivision (b)(2) of Fish and Game Code Section 4902.

Consistency and Compatibility with Existing Regulations:

The proposed regulations are neither inconsistent nor incompatible with existing state regulations. Section 20, Article IV, of the state Constitution specifies that the Legislature may delegate to the Commission such powers relating to the protection and propagation of fish and game as the Legislature sees fit. The Legislature has delegated to the Commission the power to adopt regulations governing Nelson bighorn sheep. No other state agency has the authority to adopt regulations governing hunting of Nelson bighorn sheep. The Commission has reviewed its own regulations and finds that the proposed regulations are neither inconsistent nor incompatible with existing state regulations. The Commission has searched the CCR for any regulations regarding hunting of Nelson bighorn sheep; therefore, the Commission has concluded that the proposed regulations are neither inconsistent nor incompatible with existing state regulations.